

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH  
KOLKATA



OA. 350/01149/2016

Date of order: 19.08.2016

Present : Hon'ble Ms. Urmita Datta (Sen), Judicial Member

Raimani Roy Chowdhury

Vs.

S.E.Rly.

For the Applicant : Mr. P. Majumder, Counsel

For the Respondents : Ms. G. Roy, Counsel

Order(Oral)

Per Ms. Urmita Datta (Sen), JM:

The instant application has been filed by the applicant challenging the transfer order dated 04.07.2016 (Annexure A-1). She has preferred one representation before the authorities on 07.07.2016 (Annexure A-4) against the impugned order. According to the applicant, as per the Railway Board circular dated 02.02.2010 in RBE No. 23/2010; the applicant's case should be considered as her husband also posted at Kolkata. Moreover, her daughter, is going to appear 12<sup>th</sup> Class Board Examination in the month of March, 2017. Therefore, she will be at difficulty, if she has to join Kharagpur in the mid academic session of her daughter.

2. Learned counsel for applicant has also submitted that respondent nos. 5, 6 and 7 have been accommodated though they are posted here for long time. Therefore, there is clear discrimination in considering the case of the applicant vis-à-vis private respondents. Thus she has prayed for an interim protection.

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3. Learned counsel for respondents however, has placed one order dated 25.07.2016 passed in OA: 350/01050/2016 in the case of **Barun Chandra Aich vs. Union of India & Ors.**, whose name appeared at Srl. No. 2 in the transfer order dated 04.07.2016, where this Tribunal dismissed the OA. Therefore, a respondent has objected to pass any interim protection.

4. However, today during the course of hearing, learned counsel for applicant has submitted that it would suffice her purpose if her representation dated 07.07.2016 along with OA be considered by the respondents within a stipulated period of time.

5. Learned counsel for respondents has no objection to the said proposition.

6. Accordingly, the respondents are directed to consider the representation of the applicant dated 07.07.2016 treating this OA as part of it, in the light of their circulars as well as submission made by the applicant in the OA and to pass a reasoned and speaking order within the period of 15 days.

8. OA is accordingly disposed of with no order as to costs.

(Urmita Datta(Sen)  
Member (J).

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